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THE PROCEEDINGS OF THE ASSIZES FOR THE County of SURRY,

k. Surrey — Assizes

HELD AT

GUILDFORD,

Before the Right Honourable Sir *LAURENCE CARTER*, Knt. one of the Barons of his Majesty's Court of *Exchequer*.

On *Thursday* the 16th, *Friday* the 17th, *Saturday* the 18th, *Monday* the 20th, and *Tuesday* the 21st of *March*.

SOUTHWARK:
Printed by A. ILIVE, near St. *George's Church*, 1738.
(Price Three Pence.)

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THE PROCEEDINGS OF THE ASSIZES FOR THE County of *SURRY*, &c.

BEFORE the Right Honourable Sir *LAURENCE CARTER*, Knt. one of the Barons of his Majesty's Court of *Exchequer*.

Jurymen's Names.

William Heather,	*John Martin*,
Thomas Martin,	*John Bignal*,
Thomas Hall,	*Nicholas Gawel*,
Robert Mannering,	*George Watersfield*,
Francis Stanton,	*Daniel Ives*,
Richard Hole,	*John Stevens*,
John Rollins,	*William Hamond*.

Isabella Simms, of St. *Saviour's*, *Southwark*, was indicted for breaking and entering the Dwelling-House of *Elizabeth Parrot*, on the 6th of *October* last, in the Night, and stealing three Aprons, value 10 *s.* 6 *d.* six pair of Stockings and an odd one, Value 7 *s.* 6 *d.* and two Silver Spoons, Value 18 *s.* the Property of the said *Elizabeth Parrot*.

Elizath Parrot. On the 6th of *October* I saw my Doors fast, and went to Bed; in the Morning I got up by six o'Clock, and found my House broke open, and the Goods gone. The Constable can inform the Court; I know nothing of the Prisoner.

Court. How came you by the Aprons again?

Prosecutor. She returned them to me before Sir *John Lade*.

Const. Marg. Johnson brought the Spoons to pawn in *Rag-Fair*; I stopped them, and she confessed the stealing them before Sir *John Lade*.

Marg.

Marg. Johnſon. At one in the Morning, on the 6th of *October*, the Priſoner took me to the Proſecutor's Houſe; we went to the back Part, and with a Knife ſhe took out a Pane of Glaſs, and put the Bolt of the Door back, and took the Aprons, Stockings, and Spoons; the Spoons the Conſtable ſtopped.

Court. Proſecutor, are theſe your Spoons?

Proſ. Yes, and ſhe confeſſed the ſtealing them before Sir *John Lade*.

Defence. The Evidence carried me to the Proſecutor's Houſe, and asked me to be concerned in this Robbery ſhe ſwears againſt me.

Jurymen. My Lord, we want to know which of theſe were moſt intimtae with the Proſecutor's Houſe.

Court. That's not material, *Johnſon* is Evidence, and ſo ſecures herſelf.

Guilty of Felony only. *Tranſportation.*

2. She was a ſecond Time indicted with *Mary Liſter*, of St. *George* the Martyr, on the 6th of *October*, for ſtealing three Gowns waſhed, the Goods and Property of Mr. *Dodwell*.

Dodwell. I left theſe Gowns in my Waſh-houſe about eight o'Clock at Night; I miſſed them next Morning, and found them by the Direction of *Johnſon*.

Johnſon. The Priſoners came to my Lodging with the three Gowns, and asked me to go with them to Rag-Fair to ſell them. I asked them where they had them? What is that to you, ſaid the Priſoners, go along with us.

Priſoner. I never ſaw the Gowns in my Life.

Court. How came you by the Gowns again?

Proſec. Mr. *Lawrence*, a Mint Conſtable brought them to me. Both *Tranſportation*.

Samuel Caton was indicted for aſſaulting *Tobias Wall*, Eſq; on the King's Highway, and robbing him of 9 *l.* 6 *d.* on 30th of *September*.

Tobias Wall, Eſq; On *Friday* the 30th of *September*, I went from my Houſe in *London* towards *Richmond*: I had a Gentlewoman in the Coach with me. We had got Half a Mile beyond *Vauxhall* about four o'Clock in the Afternoon, when the Gentlewoman ſeeing the Priſoner, ſaid, There's a Highwayman. The Windows were up; he bid me put down the Window, and with a Piſtol put to me, demanded my Money. I gave it him, being 9 *l.* 6 *d.* He asked me and the Gentlewoman, whether we had ever a Watch, I told him no: He then turned the Pocket-Flaps of my Coat aſide, and ſeeing I had none, he went away. When I thought he might be got at ſome Diſtance, I ordered my Coach to ſtop, and looking the Way the Priſoner went, I ſaw a Man coming from *London*; at firſt I thought he might be his Confederate. I ordered my Servant to purſue him; which he did, crying out, *Stop Thief*. The Priſoner ran, and the Perſon I ſuſpected to belong to him, ſtopped him and brought him to me. The Priſoner ſaid he ſurrendered to me, begg'd I would take the Money again, and be merciful to him. He had then the Piſtol in his Hand, and if he had been miſchievouſly inclined, he might have ſhot me. I ordered my Servants to diſarm and ſecure him.

Court. Charles Foulſton, (the Coachman) Did you purſue the young Fellow? Is that the Man?

Foulſton. Yes, my Lord.

Hubbard. He ran pretty faſt 'till he ſaw me. I ſtopped him, and he ſaid he'd ſurrender to the Gentleman, and return him his Money again.

Joſeph, a Black ſervant to Mr. *Wall*, was called, and asked by the Court, Whether he was baptized?

—— He is baptized, he takes his Maſter's Name; he brought him to *England* with him. He confirmed the other Evidence.

Priſ.

Priſoner. I was in Liquor, and did not know what I was about, but beg Mercy of the Court. *Death.*

Mr. Wall *then recommended the Priſoner to the Mercy of the Court. My Lord told Mr.* Wall, *he'd not make him ſtay long, but would give him a Certificate for the* 40 l. *he was intitled to for Proſecution,* 20 l. *of which ſhould be for him; Mr.* Wall *ſaid he believed there were other Advantages beſide the* 40 l. *the Robbery being done within* 5 *Miles of* London, *and there was a Proclamation offering* 100 l. *for convicting any one.*

John Bray, and *Benjamin Bray*, was indicted for breaking open the Stable of *David Hyde*, on the 12th of *January* laſt, in the Night, and ſtealing one Gelding, value 4 *l.* the Property of the ſaid *David Hyde.*

David Hyde. I loſt my Horſe out of my Stable on *Jan.* 12.

Court. How many had you in the Stable?

Hyde. Three.

Court. How do you know your Stable was broke?

Hyde. I lock'd the Stable over Night, and in the Morning I found the Stable open, and the Bolt of the Lock ſlip'd back?

Court. Had not you your Horſe again? what Marks had he?

Hyde. I never ſaw him ſince I had him in the Stable: He had a bald Face.

Court. How came you to know the Priſoners ſtole it?

Hyde. Call *R——d J——s*, and *Hugh Baker.*

R——d J——s, and *Baker. John Bray* confeſſed that he and *Benjamin* ſtole the bald fac'd Horſe from Mr. *Hyde*, carried him to *Wandſworth*, and ſold the Shoes for 1 *s.* and the Horſe to the King's Huntſman at *Eaſtſheen* for 6 *s.*

Court. The Confeſſion of *John* cannot affect *Benjamin.*

Benjamin acquitted, and *John* guilty. *Death.*

John Bray was a ſecond Time indicted, with *Hugh Baker*, for breaking open the Dwelling Houſe of *George Watſon*, and ſtealing 30 Pair of Shoes, value 36 *s.* a dead Pig, and a Turky, the Property of the ſaid *Watſon.*

It appearing by the Evidence of *Hugh Baker* and *Watſon* to be a Shop and not a Dwelling Houſe, he was acquitted of the Burglary, and found guilty of the Felony.

Oliver White, and *Walter O Conolly*, *Robert Hunt*, and ——— of the Pariſh of *Camberwell*, were indicted for aſſaulting *Francis How*, putting him in Fear, on the 1*ſt* of *September*, on the King's Highway, and taking from him one Guinea, value 21 *s.* the Property of the ſaid *Francis How.*

Francis How. On the 21*ſt* of *September*, I was coming in a Chaiſe with my Wife from *Deptford* to *Camberwell*, and near *New Croſs*, I ſaw 4 Men; 2 came towards us, and the other 2 were by the Hedge Side; 1 of the 2 came toward us, and laid hold of the Horſe's Rein; the other jumped into the Chaiſe, put a Piſtol to me, and demanded my Money. I deſir'd he'd not fright my Wife; he ſaid, *He'd not hurt a Hair of our Heads.* I gave him a Guinea; going to ſee whether my Wife had any Thing, he ſays, *D——n my Heart ſhe's a pretty Girl, and I'll kiſs her.* He ask'd how long we had been married, and where I lived, and he'd call and return me my Money. This was in the Duſk of the Evening, between 7 and 8 o'Clock, the 21*ſt* of *September*, they ſtaid with us about a Quarter of an Hour. I had not found out the Priſoners, but by *Hunt*, a Confederate with them.

Robert Hunt. I, the two Priſoners, and ——— coming by *New-Croſs*, ſaw the Proſecutor and his Wife in a Chaiſe; we agreed to ſtop and rob them; 2 of us watched by the Hedge Side in Sight, and I and *Conolly* robbed the Gentleman; we took a Guinea from him, which we divided, ſpending one Shilling, the odd Money; then there was 4 Crowns; which we ſhared equally betwixt us.

Priſoner *White.* I had none of the Money.

Hunt. He had a Crown, and Part of the odd Money, which we ſpent at an Ale-houſe.

A Witneſs. I heard *White* ſay he could remember all the Robberies he had done but this.

Hunt. *Conolly* and I ſtopped a Gentleman near St. *George*'s Church, he fired his Piſtol at the Gentleman's Head, ſet fire to his Wig, 'twas all of a Blaze; we had not time to rob him. Both guilty. *Death.*

Oliver White, and *Walter Conolly*, were a ſecond Time indicted for aſſaulting *Percival Swale*, on the King's Highway, and taking from him a Silver Watch, value 40 *s.* a Seal, value 2 *s.* and 2 *s.* 6 *d.* in Money, numbered, the Goods and Property of the ſaid *Percival Swale.*

To this Indictment *Conolly* pleaded Guilty.

They were a third Time indicted for robbing *Ephraim Miller*, at the ſame Time and Place.

Swale. I was robb'd by the Priſoners coming by the Half-Way-Houſe from *Deptford*, one ſtopped the Chaize, and two came in and threatned me, and a Gentleman, Mr. *Miller*, who was with me, with Death if we did not give them our Watches and Money. I gave them a Silver Watch, a Seal, and 2 *s.* 6 *d.*

Robert Hunt. We pawn'd the Watches for 20 *s.* each, and divided the Money equally amongſt us.

Defence. I accidentally met the Evidence in *Rag-Fair*, and he aſked me to go to an Ale-Houſe, where he pulled out a Watch, and ſaid he muſt have Money——I never ſaw him before nor ſince 'till now. *Death.*

Daniel Moylon, *Henry Kelly*, *Timothy Coſgrove*, *John Ryley*, *George Green*, otherwiſe *Greenwood*, and *John Conners*, of the Pariſh of *Camberwell*, Labourers, were indicted for aſſaulting, binding, and robbing *Mary Martin*, on the King's Highway, on the 21*ſt* Day of *July*, of 1 Guinea, value 21 *s.* and 15 *s.* in Money, numbered, the Property of the ſaid *Mary Martin.*

Mary Martin. On the 21*ſt* of *July*, I was returning Home to *Deptford*, and the Priſoners at the Bar were on the Road, not all together, but 3 of them at ſome Diſtance from the other. I called at an Ale-Houſe and ſat at the Door to drink a Pint of Beer; they went by me; preſently after I went on, and was ſtopped by *Moylon*, and ſome others. *Kelly* took me down a Lane, and *Moylon* thruſt his Hand into my Boſom and took out a Guinea he threatned to cut my Stays, they took 10 *s.* out of one of my Pockets, and 2 *s.* and ſome Half-pence out of the other. One took me by one Arm, and the other by t'other Arm, and led me into a Field by the Road Side, where they tied my Hands and Feet together with Rope Yarn, and left me, and if it had not been for this Witneſs, who coming over the Field, relieved me, I muſt have periſhed. I am poſitive this is the Man.

A Witneſs. I found Mrs. *Martin* in a Field near to the Road, with her Hands and Feet tied together with Rope Yarn; it was tied ſo cloſe that I could not untye it, but was obliged to cut it with a Knife. She told me ſhe had been robbed by 3 Men of a Guinea, and about 15 *s.*

Bourn. I with the Aſſiſtance of one *Dickſon*, and *Morgan*, took *Moylon*, *Conners*, and *Kelly* at *Peckham Gap.*

Griffith. I, with the Aſſiſtance of *Godard*, took *Green*, *Coſgrove*, and *Ryley*, two or three Months afterwards.

Timothy Coſgrove. She ſwore before the Juſtice that I threatned to cut her Stays, and now ſhe ſays *Moylon* did.

Court. *Martin*, are you ſure that's the Man?

Martin. He had Black Hair on when they robbed me; but when he came before the Juſtice he had got his Head ſhaved; yet I knew him again, and he is the ſame Man; the others are very much altered, it's ſeven Months ago, I dare not ſwear to them.

Conners. We all went out of *London* on the 21*ſt* of *July*, about 3 o'Clock in the Afternoon, determined to rob whoever we ſhould meet. It happened as we went down *Deptford* Road, we ſaw this Woman ſetting at an Ale-Houſe Door; ſays *Kelly* this Woman is going

going to Market, let's rob her; *Kelly* took her down the Lane, *Moylon* and *Cosgrove* carried her into a Field, and robb'd and bound her; they staid in the Field; the Money we divided among us. *Death.*

They were a second Time indicted for assaulting *William Clay* on the Highway, on 13th of *July*, and taking from him one Silver Watch, Value 42 *s.* and 4 *s.* 6 *d.* in Money numbered, the Goods and Property of the said *William Clay.*

Clay. I had been to *London* to see for a Lodging, for I was to leave my Place in a Day or two, and in my return I was met by two Men, one stopped me, and swore he'd rip me up, if I did not be deliver my Money; another clapped a Pistol at my Breast, which I put by with my Arm; he then struck me with something he had in his Hand: One that had me by the Collar fell down backwards, and pulled me upon him; they thrust their Hands into my Collar, and almost strangled me. *Cosgrove* was one; he had on a light Coat.

James Conner. *July* the 13th myself and the Prisoners at the Bar agreed to go and rob any Body we should meet: Three of us staid in the Road. We seeing the Prosecutor going along, followed him into an Alehouse, where he changed some Money, and when he came out, we set upon him and robbed him.

A Counsel moved in behalf of Timothy Cosgrove, *that* James Conners *had been convicted and pillored for wilful and corrupt Perjury; they were ready to prove the Record, and then the Court wil pay no Regard to his Evidence.*

Call *James Cosgrove.*

Court. Have you got the Copy of the Record? And where had it you from?

James Cosgrove. Yes, I had it from *Hicks's-Hall.*

Court. Have you read it? And did you compare it with the Original?

J. Cosgrove. I read it, and compared it with the Original.

Court. Read it over, that you may be sure that's the same you had from the Original.

J. Cosgrove. It will trouble the Court too much; I shall be too tedious.

Court. Well, read it.

J. Cosgrove. I can't read at all.

Court. Keeper, take him into Custody, I'll punish him.

Prisoner. I desire Mr. *Ladyman* may be called, who gave almost as good an Account as *James Cosgrove*, but with this Difference, that that Paper they shewed him was the same he had read once at an Alehouse in *Queen's-Head* Court, in *Drury-Lane*; that he had never compared it with any Thing.

Cavener. *Conner* and his Wife were committed to *New-Prison*, on *Ladyman's* Account. I have not the Commitment here.

T. Cosgrove asked the Prosecutor whether his Wig or Hair was red or black?

Clay. I can't tell.

Turner, to *Green's* Character, said, he had known him from a Child, and never heard Ill of him.

Defence.

Moylon. I have no Witnesses but the great God in Heaven.

T. Cosgrove. *James Cosgrove* will swear I was in *France.*

J. Cosgrove. I believe there's a God above. He's been at *Dover.*

Court. What Business had you at *Dover?* And when were you and the Prisoner there?

James Cosgrove. I went on the First of *March* to *France*, to buy Linnen; staid there fourteen Days; came over to *Dover*, and went from *Dover* to *London*, with my Brother, the 15th Day of *July.*

Court. You left *Dover* the 15th, and one of the Robberies was committed the 21st.

J. Conner. *James Cosgrove* lists Men for the King of *France's* Service. He listed me, and sent me to *Dillon's* Regiment; but I came back as soon as I had an Opportunity.

Tim. Cosgrove. I never saw *Conner* but as he lodged at my Brother's. I have always taken Care to get my living.

James

James Conner. I lodged at his Brother's, and he and we had nothing but what we robbed for on the Road, which we ſhared equally, let who would get it firſt; for we went ſometimes more or leſs out, and by two's or three's, different Ways.

Kelly. My Lord, *Conner* is a very ill Fellow, he had an Acquaintance of his hanged in *Dublin.* Guilty, *Death*

One of the Priſoners offered to ſpeak in his Defence, but Kelly *ſhoved him away from the Bar, and ſays,* Hold your Tongue you Son of a Whore, let me ſpeak, *which occaſioned a Laugh through the Court.*

They were a third and fourth Time indicted, but not tried.

Gill Smith, late of *Dartford,* Apothecary, was indicted, for that he, not having God before his Eyes, but moved by the Inſtigation of the Devil, did, on the 18th of *November* laſt, by Force and Arms, in the Pariſh of St. *George the Martyr,* in an open Place called *St. George's Fields,* aſſaulted *Elizabeth Smith,* his Wife, with a certain Knife made of Iron and Steel, Value 6 *d.* which he held in his Right-Hand, and violently gave her ſeveral Wounds in her Head, Face and Neck, and one on the left Side of her Neck three Inches deep, and three Inches long, of which Wound ſhe inſtantly died.

Counſel for the Proſecution. My Lord, and you Gentlemen of Jury, the Priſoner, *Gill Smith* ſtands indicted for the inhumane Murder of his Wife in *St. George's Fields,* where laying aſide all Humanity and Compaſſion, he violently aſſaulted her, and gave her ſeveral Wounds on the Face and Head; there was one on the Left-Side of her Neck, ſaid to be three Inches deep, and three Inches long, which, as well as the other Wounds, was the Cauſe of her Death. The Crime, as it will be laid before you, is one of the moſt enormous Dye. We have ſuch Circumſtances of his being the Murderer as amount almoſt to a poſitive Evidence; and if, on theſe Circumſtances, you ſhall think him to be the Man who did this Murder, you will find him Guilty, and if not, (as I believe, you will not, when we have called our Evidence) you will acquit him.

The Deceaſed, Gentlemen, her Name was *Eliz. Miller,* Daughter of one Mr. *Millar,* who ſome time ago kept (if not now) the *Chriſtopher* Inn in *Bermondſey-Street,* but at the Time of this Murder, he was ſo unfortunate as to be a cloſe Priſoner for Debt in the Priſon of the King's Bench. I think at the ſame Time the Priſoner was in Cuſtody of the Warden in the Liberty or Rules of the Fleet Priſon, therefore he had an Opportunity when he thought proper, of going without thoſe Rules. He was very poor at this Time, ſo poor that he could not ſupport his Wife; therefore ſhe was obliged to live ſeparately from him. He, as I have obſerved, being very poor, had a Thought came into his Head how he ſhould raiſe a Sum of Money, and how ſhould that be but by inſuring the Life of his Wife. Accordingly he goes to the *London* Inſurance Office, and I think, by Order of the Company, Mr. *Fletcher* and Mr. *Robinſon* are ordered to receive his Propoſals, and report it to the Committee. He asked Mr. *Fletcher* the Nature of it, and told him if he could inſure his Wife's Life it would be of the utmoſt Convenience and Service to him, for ſhe would be of Age in a Month's Time, and then he could come at her Fortune, which was very conſiderable. I think Mr. *Fletcher* told him he muſt ſee the Perſon whoſe Life they were to inſure, before they could have an Order for the Policy. The Priſoner ſaid his Wife was a modeſt young Woman, and did not care to expoſe herſelf any where; however he would bring her to the *King's Arms* Tavern on *Ludgate-Hill,* and hinted to Mr. *Robinſon,* that there would be no Occaſion to let his Wife know the Cauſe of their Meeting. They met at the *King's Arms* Tavern, on *Ludgate-Hill,* they ſaw ſhe was a healthy young Woman, in full Vigour and Strength of Life, ſo on the 14 or 15th of *October,* he got the Policy; I think he paid 10 *s. per* Hundred for one Kalender Month, ſo that if ſhe died by any Means whatſoever within a Kalen-

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der Month from the Date of the Policy, he would be intitled to the Sum insured for, which was 200 *l.* I don't know how, but so it happened, either from Remorse of Conscience, or want of Opportunity, he did not within that Month commit the horrid Fact, which, I have Reason to believe, he hath since perpetrated. For no sooner was the Month expired, but he makes a second Application to the Insurance Office for a new Policy for another Month, pretending he was mistaken one Month in his Wife's Age, that it would be of great Consequence to him, he having a Friend who would advance him 100 *l.* on his getting such a Policy; accordingly they had a second Meeting at a Tavern behind the *Royal-Exchange*, and *Smith* said to *Robinson*, there's no more Necessity to let my Wife know the Occasion of this Meeting than there was of the other. They agreed on this second Policy, and that one Mr. *Chawood*, the Prisoner's Friend was to have it, and he would advance 100 *l.* on it. The Policy was for 200 *l.* and he, although he was so very poor, yet he could pay for one Month's Insurance of his Wife's Life, 1 *l.* 4 *s.* 6 *d.* which was the Money paid for the Policy. They parted from the Tavern several Ways; the Prisoner and his Wife went to the *Swan* in the *Old Change*; but I think one *Martha Young*, who is a Servant at the *Swan*, says he came in first, and asked whether his Wife was there, she said no; then says he, I'll go to her Lodgings on *Saffron-Hill*——He came back with his Wife; *Young* farther says, the Deceased had been pressing the Prisoner very much for Money all that Day: he bid her be easy, for that he was a going to receive 5 Guineas, and she should have 2 of them. It does not appear that he gave her 2 Guineas, or so much as receiv'd the five. The Prisoner was in a Hurry to be gone from the *Swan*, for his Wife, the Deceased, being talking to the Maid, he pulled her away out of the House. He was determined, it seems, not to let his villainous Design rest, nor lose any Time 'till he had executed it; besides all this, it will appear that at the Expiration of this Month, the Deceased was so far from being of Age, that she would be but 19: And we shall prove by Mr. *Millar*, the Deceased's Father, that if she had lived to the Age of 21, the Prisoner would not have been intitled to one Half-penny. We must now leave him, it being impossible to trace him to St. *George's Fields*, where we find him about to commit the horrid Fact he stands charged with. Here is, Gentlemen, one *Esther Cox*, and *Rebecca Sampson*, who say, they saw the Prisoner in St. *George's* Fields, between 10 and 11 o'Clock the Night this Murder was committed; it was Moonlight, and they saw him very plain, and heard him say to the Deceased, she asking him where he was a going, *We are going to* New-Cross; on his saying *New Cross*, either *Cox* or *Sampson* said, *If you go to* New-Cross, *that's not the Way.* He hearing what she said, says, *D——n you, what's that to you. Sampson* and *Cox* went on; one of them said to the other, it may be he has a Mind to rob her; no, replies the other, he may want to be rude with her—— Next Morning they hearing there was a Woman murdered in St. *George's* Fields, their Curiosity led them to see her, at first they did not know who she was, but recollecting, they believed, by her Cloaths, (for she had a Hat on the Night before which covered her Face) she was the same Woman they saw the Night before with a Man going towards *Melancholy Walk.* She was taken from thence and carried to St. *George's* Workhouse, where she was exposed to publick View; and I think was not known 'till the *Monday* following. There are, Gentlemen, a great many more Circumstances to induce you to believe that the Prisoner committed this Murder; for, on the Night the Murder was committed, he came Home with his Thumb cut, and being asked how he came by it, he said, he had been at *Piccadilly*, and coming by *Katherine-Street* in the *Strand*, he picked up a Madam, and a Gentleman saying it was his Wife, they had a Quarrel, and the Gentleman pulled out something, he did not say what, and cut him. ——To others, he said, that the Quarrel happened in *Fleet-Street.*——To others,

cutting a Piece of Bread; and to others, that it happened by a Knife being accidentally open in his Pocket, and putting his Hand in to take out his Handkerchief, he cut his Thumb. There is another more ſtrong and circumſtantial Proof of his Guilt than I have mentioned yet, that is, the Priſoner comes to one Mr. *Davis*, who keeps the Tap-Houſe in the *Fleet* Priſon, before he was ſuſpected to be the Perſon guilty of this Murder, and ſays, in a ludicrous Way, *Don't you hear the Report, that the Woman murdered in St.* George's *Fields is my Wife, and that I have murdered her?* Mr. *Davis* told him he thought it no laughing Matter, and that if he was to be charged with ſuch a Thing he ſhould be under a great Concern. And farther, Gentlemen, the Coroner's Officer went with *Cox* to the *Fleet* Priſon, to the Priſoner, and to ſee if ſhe knew him to be the ſame Man ſhe ſaw in St. *George's* Fields the Night this Murder was committed, and ſhe diſtinguiſh'd him from a Number of Perſons in Company. I ſay, Gentlemen, when we have called our Evidence, and you have heard what they ſay, I don't doubt but you will think the Priſoner Guilty of the Murder wherewith he is charged, and accordingly find him Guilty.

Call *Thomas Fletcher*, *Thomas Robinſon*, —— *Chawood*, *Martha Young*, *Eſter Cox*, *Rebecca Sampſon*, —— *Davis*, *Richard Price*, *Thomas Paul*, —— *Millar*, and —— *Babbage*.

Counſ. Mr. *Fletcher*, will you be pleaſed to give the Court and the Jury an Account of what you know of the Priſoner's coming to the *London* Inſurance Office, to inſure his Wife's Life?

Fletcher. I am Clerk to the *London* Inſurance Office. On the 12th of *October* I met the Priſoner in the Paſſage leading to the Office, and he deſired me to inform him of the Nature of it, for he had a Mind to inſure his Wife's Life; that it would be of great Conſequence, to him, ſhe having a good Fortune, when ſhe came of Age, and very much importuned me to aſſiſt him in getting him a Policy. I we was to inſure firſt; and that if he would bring her to a Tavern behind the *Exchange*, we ſhould view her, and report it to the Committee. He ſaid ſhe was a young Woman that did not care to appear much in Company, but if we would meet at the *King's-Arms* Tavern on *Ludgate-Hill*, he'd bring her. He ſaid, there would be no Occaſion, he apprehended, to let her know any Thing of the Matter they were about. The next Day, the Priſoner preſſing it, we met at the *King's-Arms*, and ſaw the Woman, who ſeemed to be a ſober, modeſt and healthy young Woman.

Counſ. Did *Smith* ſay ſomething about a Month?

Fletcher. Yes, and I told him, I'd not give 1 *s.* to inſure her Life for ſeven Years.

Court. What Day of the Month did he come to the Office to get the Policy?

Fletcher. On the 12th or 14th, I think it was on a *Thurſday*, *Friday*, and *Saturday*, he was ſoliciting to get the Policy.

Robinſon of the Inſurance-Office being called, confirmed all Mr. *Fletcher* had ſaid.

Counſ. Here was a ſecond Policy obtained; Do you know how, and in what Manner it was obtained?

Robinſon, Clerk of the Office. *Smith* brought with him, to the Office, one Mr. *Chawood*, and very much ſollicited to have a new Policy for another Month.

Court. What Importunity was made uſe of?

Robinſon. *Smith* ſaid he was miſtaken one Month in the Age of his Wife, when he came for the firſt Policy, and that ſhe would not be of Age 'till next *December*; that the getting ſuch ſecond Policy would be of great Service to him, for could he get the Policy, that Gentleman, Mr. *Chawood*, would lend him a hundred Pounds on it, which 100 *l.* would put him up in his Buſineſs, and when his Wife was at Age, the Fortune he ſhould then receive, would be very conſiderable. Mr. *Chawood* ſaid, the doing it would be a very great Act of Charity; and that if the Company would grant the Policy, he'd advance the

Money

as to collect Alms at the Church Door.

Counſ. Did not *Smith* deſire it might be concealed from his Wife?

Robinſon. Yes, he ſaid there was no more Neceſſity to let her know the Occaſion of that Meeting, than there was of the other.

Counſ. Do you grant Policies immediately after Application made?

Robinſon. No, We ſee the Perſon, report them to the Committee, and then there's ſome Time before we get it ſealed, in order to its being delivered.

Counſ. How long after was it before he had the Policy?

Robinſon. Within two or three Days after Application.

Counſ. What Day of the Month was it? And who did you deliver it to, and where?

Robinſon. It was the 18th of *November*; I delivered it to Mr. *Chawood*, at a Tavern in *Birching-Lane*.

Counſ. You ſay on the 18th; what Time did you part?

Robinſon. About five or ſix o'Clock, I and Mr. *Fletcher* went out at one Door, and they at the other.

Counſel. Mr. *Chawood*, I think you was with the Priſoner to ſollicit for a Policy on his Wife's Life, will you be pleaſed to give an Account of it to the Court?

Chawood. I did go with the Priſoner, and partly on my Account the Policy was granted; for I ſaid I'd advance the Money, if the Policy was granted.

Counſ. had you no Intereſt in getting this Policy?

Chawood. No, I took the Priſoner to be an honeſt Man; he had been very ſerviceable to me. I having been ſo unfortunate as to be confined in the Fleet for Debt, about nine Months, was taken bad with a Fit of Illneſs, and Mr. *Smith*, being an Apothecary, attended on and preſcribed for me; and his Preſcriptions very much contributed to the ſaving my Life. He telling me he ſhould have a Fortune of his Wife's, in a Month, when ſhe would be of Age, but in the mean Time he [illegible] a Sum of Money to put him in a Way of Buſineſs, therefore he intended to inſure her Life, and on that Policy borrow ſome Money. I had, at that Time, a very great Regard for the Priſoner, and told him, if he could yet ſuch Policy, I would lend him 100*l.* on it, and went with him to the Office, and thought I was doing an Act of great Charity, and two or three Days after Application, I took out the Policy.

Counſ. Where did you meet?

Chawood. At a Tavern in *Birchin-Lane*.

Counſ. What Time did you part?

Chawood. About five or ſix a Clock.

Court. What Day of the Month and Week?

Chawood. Friday November 18.

Court. Robinſon, Have you got the Policies?

Robinſon. Yes, theſe are the Policies.

Policies read.

Court. What Date does the firſt bear.

Clerk of the Court. The firſt Policy is dated *October* 14, 1737. the ſecond 17th of *November*, 1737.

Martha Young. The Priſoner came to the *Swan* in the *Old Change*, where I am a Servant, about ſix or ſeven at Night, on the 18th of *November*, and asked whether his Wife was there. I ſaid, no; he then ſaid he'd go to her Lodging on *Saffron-Hill*, and ſee for her: He came back again with his Wife, to the *Swan*, and went away at eight of the Clock.

Counſ. Had the Deceaſed and Priſoner no Talk about Money.

Young. Yes, the Deceaſed had been asking the Priſoner for Money, ſeveral Times that Day, and he ſaid he was going to receive five Guineas, and ſhe ſhould have two, if ſhe'd go with him; he was in a hurry to be gone, for as the Deceaſed and I were talking together, he pulled her away, and went out of the Houſe.

Counſ. What ſort of a Night was it? Was it Moon-Light?

Young. I did not obſerve the Night.

Counſ. R. Sampſon, What Time of the Night was it when you ſaw the Priſoner in *St. George's Fields*?

Eſther

Rebecca Sampſon. At this Time I was big with Child, I, and *Eſther Cox* were a going to buy ſome Soap about Half an Hour after 10 o'Clock at Night, the 18th of *November*, and we met the Priſoner and the Deceaſed, they bruſhed cloſe by us, ſo that I had a full View of the Priſoner; but of the Deceaſed I could not, ſhe having a Hat on that covered her Face; as they paſſed by I heard the Deceaſed ſay, *Where are you going?* he ſaid, *To New-Croſs*: I ſays to my Couſin, *That's not the Way; he ſhould go up* Kent-Street. *It may be*, ſays ſhe, *he has a Mind to rob her*: *No*; ſays I, *rather a Mind to be rude with her, for he does not look like a Thief.* We went Home, and in the Morning hearing there was a Woman murdered in St. *George's* Fields, we went to ſee her, at firſt I did not remember to have ſeen her before; but recollecting the Converſation that paſſed between two Perſons that went by me the Night before, I thought this muſt be the Woman that was with a Man who ſaid he was going to *New-Croſs*; for that Woman had a Hat, and a Red Cloak on, and were walking towards the Place where the Deceaſed was found murdered. He and the Deceaſed were the Perſons I ſaw the 18th of *November* at Night.

Counſel. Sampſon, look at the Priſoner, is he the Man you ſaw with the Deceaſed in St. *George's* Fields.

Sampſon. He is the Man; 'twas a Moonlight Night, I ſaw him diſtinctly; he had whitiſh Cloaths on, tho' no lac'd Hat.

Court. You ſay, you heard the Priſoner ſay he was going to *New-Croſs*, and you ſaid to *Cox*, that's not the Way, do you think you ſpoke loud enough for the Priſoner to hear?

Sampſon. I ſpoke as loud as I do now.

Court. Did they ſpeak to you?

Sampſon. No; nor we to them.

Court. Where was the Deceaſed found; you ſay they were going to a Place called *Melancholy Walk?*

Sampſon. They were going towards *Melancholy Walk*; the Deceaſed was found in that Walk between the *Red-Cow*, and the *Dog* and *Duck*.

Court. Was that the Way to *New-Croſs*?

Sampſon. No; quite contrary; the Way they went leads to *Lambeth*; and *New-Croſs* is down *Kent-Street*, at a great Diſtance.

Eſther Cox. The Priſoner and the Woman I ſaw murdered in St. *George's* Fields, were the Perſons that paſſed *Sampſon* and me the 18th of *November*, between 10 and 11 at Night. He ſaid to the Deceaſed, *I'm going to* New-Croſs; and my Couſin ſaid, that was not the Way: *Then*, ſays I, *may be he has a Mind to rob her*; my Couſin ſaid, *No; but does not look like a Thief, he may want to be rude with her.*

Counſel. Look at the Priſoner, is he the Man you ſaw in St. *George's* Fields the Night before the Woman was found murdered?

Cox. Yes; he is the Man; I looked in his Face as he paſſed by us, he had his Hand in his Boſom. I could ſee him very plain, for the Moon ſhone as bright as Day.

Counſel. Had he the ſame Cloaths on then as he has now?

Cox. No; the Cloaths he had on then were whitiſh; nor had he a laced Hat, but I think he had a dark Wig.

Coroner's Officer. I went by order of the Coroner over to the *Fleet* Priſon, on Thurſday the 23d of *November*, with *Sampſon*, and asked for Mr. *Smith*, he was below in the Cellar; being called, he asked if he was wanted, as ſoon as he ſpoke ſhe ſaid ſhe knew his Voice again.

Court. Did any Body ſhew her him?

Coroner's Officer. No; ſhe pointed him out from a Number of Perſons that were there; we did'nt talk any Thing there in Relation to the Murder; but when we came out I asked her what ſhe thought of the Man ſhe had ſeen; ſhe ſaid he was the Man ſhe ſaw in St. *George's* Fields the Night before the Murder was diſcovered.

Court. How many Perſons was he among when ſhe pointed him out?

Coroner's Officer. I can't ſay any direct Number, there might be between twenty and thirty. I asked her whether he had the ſame

Cloaths

Cloaths on; she said, no; but he was the same Face, Bulk, and Stature.

Davis. I keep the Tap in the *Fleet* Prison. On the 19th of *November*, about 10 o'Clock in the Morning, I saw the Prisoner, and he had a cut Thumb; it did not bleed. I asked him how he came by it. He said coming from *Piccadilly*, by *Katherine-Street* in the *Strand*, a Quarrel happened between him and a Gentleman about a Woman of the Town, and the Gentleman pulled out an Instrument, and cut his Thumb.

Counsel. Did he say any Thing of the Murder of his Wife?

Davis. No; not 'till the *Tuesday* Night following, for no Body suspected him 'till he spoke of it himself.

Counsel. Mr. *Davis*, tell the Court what he said on the *Tuesday* Night after the Murder.

Davis. The Prisoner says to me, in a ludicrous laughing Manner, have you heard the Report, *They say the Woman that was murdered in St.* George's *Fields is my Wife, and that I murdered her.* I told him it was not a laughing Matter, and that such a Charge would give me a great deal of Uneasiness. He being the first Person I had heard say that he was charged with the Murder of his Wife, and knowing there was a Policy in Mr. *Chawood's* Hands, I went to him and told him what *Smith* had told me, and asked him whither he had heard of it before; he said, no; then I desired he'd let me have the Policy that I might carry it to a Justice of the Peace. The Coroner's Officer brought a Woman to see him, who knew him again, and then the Coroner sent his Warrant to detain him 'till he should be moved by *Habeas* to *Surry* Goal.

Thomas Paul. I went to the *Fleet* Prison to see *Smith*, and asked him concerning the Murder of his Wife, he said he was innocent of it, and that he was not out all that Day. I asked him how he came by a cut Thumb? He said by a Pen-knife being lose in his Pocket, and going to take out his Handkerchief, cut his Thumb. I told him he had, to others, that had been with him, given a quite different Account.

Richard Price. I had left a hot Poker by the Fire, and my Child laid hold of it, and burnt its Hand; so I carried the Child to Mr. *Smith*, and he was dressing his cut Thumb, why, says I, how can you cure my Child when you can't cure your self. I asked him how it came; he said with a Knife cutting a Piece of Bread. I asked him what he was putting to it, he said he only washed it with Brandy, for he had good healing Flesh; says I if that's all, I have no Occasion to pay you for a Cure when I can do that my self.

Counsel. Is he Left-handed; the cut is on the left Thumb. The Deceased undoubtedly defended herself resolutely, by the many Cuts and Wounds she received, and very probably he might cut his Thumb in her struggling with him, for she was cut down the Thumb and Finger, and a-cross the Wrist.

Court. When was the Coroner's Inquisition taken?

Coroner's Officer. The Monday following, but were not agreed, 'till *Thursday*, when they found him guilty of wilful Murder.

Edmund Babbage. On *Monday* the 21st of *November*, I went to St. *George's* Workhouse, to view the Deceased; I stripped off her Cloaths, and examining of her, I found a cut cross the Chin, a Wound on one Side of the Neck, three Inches long, but not mortal. On the other Side the Neck she had a Wound of the Length of three Inches, and the Depth of three Inches, it extended to the Wind-pide, and into the Gullet or Nob (pointing to his Throat) or Swallow was cut in two, and the crural Arteries were divided, which Wound was the Cause of her Death. She had a Wound on her Arm, and the Legament that ties the Arm, in the bend, was cut in two, so that had she survived the other Wounds, she would have lost that Arm, there was another cut cross the Wrist.

Couns. Did not you say, you believed the Wounds were given by a Surgeon, or a Butcher.

Babbage. I believe, when I firſt ſaw the Body, I did ſay that none but a Surgeon, or a Butcher, could have given ſuch Wounds.

Counſ. How long might ſhe be bleeding to death?

Babbage. In five Minutes.

Counſ. Mr. *Millar*, What Age was your Daughter when murdered?

Millar. She was born on the 12th of *Dec.* 1718. ſo that if ſhe had lived to the 12th of of *December* laſt, ſhe would have been but nineteenth Years of her Age.

Counſ. Don't you think he knew her Age?

Millar. I believe he knew her Age as well as I.

Counſ. If ſhe had lived to have been of Age, would ſhe have had any Fortune coming to her?

Millar. No Fortune at all, neither before or after her coming of Age; he knows very well, that I dealt plainly and honeſtly with him, and that ſhe had nothing then, nor in expectancy.

Counſ. Call *Robert Robinſon*, Watchman, hear what he ſays, and then we will give the Court no more Trouble, but reſt it there.

Robert Robinſon. I am a Watchman, and on the Night this Murder was committed, I was beating my Rounds, between twelve and one, in *Gravel-Lane*, I heard a Voice ſay, *don't Murder me.* I went towards the Place I heard the Voice from: When I came to the Field Gate, I ſaw a Woman leaning againſt the Rails, the Corner of the Field, and a Man with her; ſhe ſaid, *what have I done, that you'd murder me*: I asked what was the Matter, he ſaid, *Damn you, what's that to you, ſhe's my Wife; the Bitch is Drunk, and I cannot yet her along.*

Counſ. Where you ſaw the Deceaſed and Priſoner, did that lead to *Melancholy-Walk?*

Robinſon. Yes, it leads to *Melancholy-Walk.*

Court. What ſort of a Night was it?

Robinſon. A bright Moon-light Night.

Court. Are you ſure he's the Man you ſaw that Night?

Robinſon. Yes, he's the Man, but he has not the ſame Cloaths, nor had he a laced Hat on.

Defence.

Counſ. We'll call our Evidence, and ſhew that we were at home at the Time this Murder is ſaid to be committed. Call *Charles Holdſworth*, *Joſeph Hanſon*, *John Cartwright*, and ———.

Charles Holdſworth. I am a Drawer in the Tap-houſe in the *Bell-Savage* Inn, on *Ludgat-Hill.* On *Friday* the 18th Day of *November*, Mr. *Smith* came into the Inn between ten and eleven o'Clock at Night, and asked for the Chamberlain.

Counſ. Did he ſit down?

Holdſworth. No, he went out again directly.

Counſ. Did you ſee him after he went out of the Tap-houſe? Did he ſee the Chamberlain?

Holdſworth. I did not ſee him after, nor I don't know that he ſaw the Chamberlain.

Counſ. Does he uſual lye at your Houſe?

Holdſworth. He has lain there ſeveral Nights.

Counſ. Did he lie at your Houſe on the 18th of *November*, the Night you ſay he came into the Tap-houſe?

Holdſworth. I don't know, I did not ſee him after he asked for the Chamberlain.

Counſ. Did he lye there the Night before? Or when did he? Did he within five or ſix Days of the 18th of *November*?

Holdſworth. I can't tell, though he has lain ſeveral Nights there: I can't recollect particulars.

Counſ. Have not you declared you did not know whether it was ten, eleven, or twelve o'Clock when *Smith* came to your Houſe?

Holdſworth. No, he came home, I think, at Half an Hour after ten.

Counſ. Did not you tell *Price*, you'd ſwear whatever *Smith* ſhould bid you?

Holdſworth. No, I did not ſay any ſuch Thing.

Joſeph Hanſon, Chamberlain. Mr. *Smith* came to our Houſe on *Friday* the 18th of *November*

vember, about twelve o'Clock at Night. I was called, and I took a Candle and light him to bed.

Counſ. Are you ſure he lay there all Night?

Hanſon. Yes, I took his Shoes away, cleaned them, and ſat them at his Door again.

Counſ. Does he uſually lye at your Houſe? Did he lie there the Night before?

Hanſon. Yes, I don't know that he miſſed a Night for two Months before.

Counſ. How long have you lived there?

Hanſon. Ever ſince *Midſummer* laſt.

Counſ. Did *Smith* owe you any Money at that Time?

Hanſon. Yes, he owed me 25 s. and does ſtill.

Counſ. Did you take Notice what ſort of a Night it was?

Hanſon. I took no Notice of the Night; I can't ſay whether it was light or dark.

Counſ. Had Mr. *Smith* his Thumb cut; and did it bleed?

Hanſon. His Thumb was cut, and bled very much on the Floor; I fetched a Mop and dry'd the Blood up.

Counſ. Didn't he ſay how it came?

Hanſon. He ſaid a Quarrel had happened between him and a Gentleman about a Woman of the Town, and he gave him the cut of his Thumb.

Counſ. J. Cartwright, Did you ſee the Deceaſed the Morning ſhe was found murder'd.

John Cartwright. Yes, I did ſee the Body, as I was going to *Lambeth.*

Counſ. Did it bleed, did you look at the Wounds?

Cartwright. They did not bleed, the Blood was clottered.

Counſ. Did you feel whether the Body was warm?

Cartwright. One of her Breaſts was naked, I put my Hand upon it, and it was cold, ſo I covered it with the Deceaſed's Handkerchief.

Another Witneſs was asked the ſame Queſtions, and he ſaid he ſaw the Body about 8 a Clock in the Morning, that the Blood was congealed in the Wounds; he did not touch the Body, therefore he could not ſay wether it was warm.

Another Perſon was called, a Priſoner caſt for Tranſportation, and it was objected ſhe could not give Evidence, but that was over-ruled, my Lord being of Opinion, that ſhe might give Evidence, Judgment having not been pronounced againſt her. She being ſworn, ſaid, ſhe ſaw the Deceaſed about ſix o'Clock in the Morning, that was all ſhe knew.

The Priſoner having nothing more to offer in his Defence, my Lord gave an exact State of the Evidence on both Sides to the Jury, who, in a few Minutes brought him in guilty of wilful Murder. Death.

Anne Goodſon of St. *Olive, Southwark*, Widow, was indicted for that ſhe not having the Fear of God before her Eyes, but moved by the Inſtigation of the Devil, did on the 8th Day of *December*, in the Pariſh aforeſaid, violently aſſault *Tho. Goodſon*, her then Huſband, with a Knife made of Iron and Steel, value 2 *d.* and gave him one mortal Wound in and on the left Leg, near the Shin Bone, of the Length of four Inches, and of the Depth of two Inches, of which mortal Wound he inſtantly died.

Surgeon. I examined the Wound the Deceaſed had received, and found a large Veſſel cut or divided in two.

Mary Brian. I lived in the ſame Houſe with the Priſoner and Deceaſed, her Room was over mine, there was a Woman who wanted to ſtay in the Room all Night; and to induce him to let her, ſhe pulled out a Penny, and ſaid ſhe would fetch ſome Gin; while ſhe was gone, I heard the Deceaſed ſay, *I'll have my Room to my ſelf, you Bitch.* She anſwered, *Tom, we muſt have a Battle to Night I ſee, you ſhall beat me or I'll beat you.* Preſently after theſe Words I heard a great Shock or Jolt; one came for a Light, I ran up Stairs and ſaw a great Quantity of Blood, I believe two Quarts under the Deceaſed. I ſaid you have killed your Husband; *Why then*, ſays ſhe, *I muſt be hang'd and damn'd for it.* He ſaid, *She ſtabbed him in his Leg, and that ſhe had made two or three Attempts*

to

to ſtab him in the Breaſt, but he put the Knife by with his Hand.

Conſtable and *Beadle*. Two Women ſaying there was Murder committed, I went, and found the Man dying and ſpeechleſs; there was a great Quantity of Blood on the Floor. She would not believe he was dead, a Surgeon was ſent for, but he was dead before he came.

Priſoner's Defence.

We were at Supper when he quarelled with me, he dragged me about, and beat me, and the Knife ſtuck in his Leg unknown to me.

Court. Have you any Witneſſes to prove how you lived together?

T. Morris. She has worked for me theſe four Years, they were very honeſt Folks. I have heard ſay ſhe was at Times out of her Senſes.

——— *Ring*. She is an honeſt induſtrious Woman, and I have heard her complain of ill Uſage from the Deceaſed———he often beat her. *Death.*

John Arronſon of St. *Olave*, *Southwark*, was indicted for ſtealing 60 Yards of Ribbon, value 55 *s.* the Goods of *Robert Martin*, on the 9th Day of *November* laſt.

Robert Martin. The Priſoner and I belonged to one Ship, I left the Ribbons in his Care, and deſired he'd look after them while I went to the Captain. I was not gone above five Minutes, and when I came back he was gone. I purſu'd him, and took the Things upon him. *Guilty* 33 *s.*

Peter Sheppard of the Pariſh of *Wandſworth*, was indicted for ſtealing 5 Hens, value 5 *s.* the Property of *Robert Peirce*; and a Game-Cock, 10 *s.* 6 *d.* the Property of ——— *Anſel.*

Robert Peirce. I was robbed of 5 Hens, the Cock I kept for Mr. *Anſel*, the Partition was broke down Half the Width of a Door. I have the Perſon here who bought them.

Mary Anſel. About 7 or 8 in the Morning the Priſoner came with a Basket, and I aſked him what he ſold, he ſaid Fowls; and by the picking of them I thought they were ſtole.

Court. How you ſhould know a ſtole Fowl by the picking of it I ſhall leave to the Jury to conſider.

Gowper. I ſaw him about 9 or 10 o' Clock near *Peirce's* Yard, and about 12 or 1 I ſaw him come out of *Sheppard's* Yard.

Court. Had he any Thing in his Hand?

Cowper. He had nothing in his Hand. *Acquitted.*

Richard Sarnel, and *Margaret Faulkner*, were indicted for privately ſtealing from the Perſon of *Thomas Ford*, 1 Guinea, value 21 *s.* 1 Shilling in Silver, 1 Iron Tobacco Box, and a Braſs Tobacco Stopper, on the firſt of *March*, 1737.

Thomas Ford. On the firſt of *March* I went to an Ale-Houſe in *King-Street*; I had not been long there but the Woman came into my Company; we drank three Pints of Beer, and ſhe perſuaded me to go into her Room. I ſat down on the Bed and fell aſleep.

Court. Where was *Faulkner?* was not ſhe on the Bed too?

Ford. I believe ſhe was; but I fell aſleep.

Court. Where was the Man?

Ford. He was in the Room.

Court. How came he to be in the Room?

Ford. I don't know how he came into the Room?

Court. What, he was to ſee fair Play; go on.

Ford. I felt his Hand in my Pocket.

Court. Where was her Hand?

Ford. By my Pocket. I caught hold of his Hand, and he had got the Tobacco Box. He was putting it into my Pocket.———The Money he had taken out; ſo I aſked him for the Money (there was a Guinea and a Shilling in it) he ſaid, *Damn you, you Raſcal, I'll throw you down Stairs———I'll fling you out of the Window.*

Court. He was putting the Box into your Pocket, how do you know he had your Money? had it any particular Mark on it?

Ford.

Ford. When he was in the New Goal the Money drop'd out of the Tail of his Shirt. Mine was a King *George*'s Guinea, and a King *William*'s Shilling——The Constable has the Guinea and Shilling.

Court. Was that your Money that drop'd from the Prisoner; had it any particular Mark whereby you could know it from another of the same King's?

Ford. 'Twas a King *George*'s Guinea, and a King *William*'s Shilling.

Court. How many Thousands are there more than your's do you think? what Time was it when you went up with *Faulkner*?

Ford. About 8 o' Clock.

Boxal. He came to me about 11 o' Clock at Night, said he was robb'd, and desired me to go and help him to get his Money again.

Court. So you was three Hours with *Faulkner*. *Aquitted.*

Robert Hudson, who had the Money that was taken from the Prisoner, was ordered to return it him again, the Prosecutor not making out his Right to it.

Benjamin Tudman of the Parish of *Stratum*, was indicted for stealing out of the Sheep-house of *Thomas Radley*, 1 Ewe Lamb, value 13*s.* on the the 19th of *February*, 1737, the Property of the said *Thomas Radley*.

Thomas Radley. On *Sunday* the 19th of *February*, I found my Sheep-house broke, and the Lamb gone; the Prisoner was stopped by *Clapham* Watch with the Lamb. It was a Pole Lamb, marked on the Head for Market. I knew it to be mine.

G. Crockford. The Prisoner was coming along with a Basket on his Shoulders. I suspected him, and stopped him, and found he had got a Lamb, he could give no Account how he came by it. On enquiring who had lost it, the Prosecutor came and owned the Lamb. *Guilty. Burnt in the Hand*

Thomas Ford, of the Parish of *Chertsey*, was indicted for breaking and entering the Dwelling-house of *Nathaniel Pembroke*, in the Night, and stealing 9*s.* in Money numbered, on the 27th Day of *December*.

Nat. Pembroke. On the 27th Day of *December*, in the Night between 12 and 1 of the Clock, I heard one call me, and say, Giant Ford *is in the Cellar*. He goes by that Name. I went down and saw the Prisoner at the Top of the Stairs, he ran away. I pursued him so close, that in getting over the Pales, he left Part of his Coat behind him. We went to the *Two Brewers*, where we seized him, and found a particular Farthing on him that I had left in my Till, in the Shop.

Court. Are you sure your Cellar Window was made fast?

Pembroke. It flaps down, and I don't know but the wet Weather might swell it, and so it might not be so close as it should be.

Isaac Gold. I was coming by Mr. *Pembroke's* about 1 or 2 o' Clock in the Morning, I saw a Man at his Cellar Window; I laid hold of his Coat, and called Mr. *Pembroke*; but he got away from me, and going over the Pales, he left a Piece of his Coat behind him on the Pales.

Court. Is that the Man you saw coming out of *Pembroke*'s Cellar? Did you see his Face?

Gold. I did not see his Face?

Henry Hall. I served a Girl the Night before the Robbery was committed, a Pound of Cheese; she gave me a Six-pence to change; in the Change I gave her this Farthing, and she would not take it; so I returned it into the Drawer again and shut it.

Court. What Room in the House was it were the Farthing was taken?

Hall. In the Shop.

Court. Was the Shop Door broke open?

Hall. No.

Court. Which is the Way into the Shop? could he go out of the Cellar into the Shop without going into the Street?

Hall. He could not get into the Shop without going into the Street. *Acquitted.*

Edward Buckley was indicted for stealing out of the House of *Richard Shaw* one Peruke,

Value 4 *l.* 4 *s.* and 25 *s.* in Money on the 23 Day of ——— 1737.

Richard Shaw. The Prisoner was a Servant to me; about four a Clock in the Morning he got in at the one Pair of Stairs Window, and with a Clever he broke open a Serutore, but was disappointed, for he found nothing there; then he broke open a Box and took the Wig and 25 *s.* in Money,

Court. How came you to know the Prisoner did it?

Shaw. He confessed it; and here is the Person that bought the Wig for 7 *s.* 6 *d.* and a Pint of Purl.

Court. Was your Window fast when you went to bed?

Shaw. I don't know whether it was or no; I did not look.

Guilty 29 *s.* *Transportation.*

John Heaford, of the Parish of St. *Mary Bermondsey*, was indicted for stealing out of the House of *Anne Lane*, one Cloth Coat, Value 12 *s.* one Pair of Shoes, Value 2 *s.* 6 *d.* six Pair of Stockings, Value 6 *s.* three Perukes, Value 30 *s.* two Handkerchiefs Value 11 *s.* 6 *d.* and divers other Things of Value, on the first of *March*, 1737.

Anne Lane. On the first of *March*, I hearing a Noise on the Stairs, I went to see what was the Matter, and at the bottom of the Stairs was the Prisoner with my Goods, he had fell down Stairs, and before he could recover himself, I took him; he had the Gown in a Bag, the Stockings and Wigs I found in his Pocket.

Court. Were they new Wigs? What Trade are you?

Lane. My Husband is a Waterman, they are his Wigs; and the Prisoner confessed the stealing them before Justice *Engeir*.

Mary Tims. I saw him first in the Chamber, and going to pursue him he fell down Stairs, Mrs. *Lane* followed, and we took him at the Bottom of the Stairs, with the Stockings, Gown and Wigs upon him.

Defence.

Prisoner. I desire I may clear my innocent Mother.

Court. I don't find any Body charges your Mother. What say you to the stealing the Things you are charged with?

Pris. I do don't know how I came by them.

Court. Have you any Body to your Character?

———. I have known him three Months, and I know no Ill of him.

Court. That's a great Proof of his Righteousness. I have known him half a Day, that's almost as long as you. *Guilty* 39 *s.* *Transportation.*

John Dixon and *Mary Washford* were indicted (together with *Jane Watters*, not yet taken) for breaking and entering the Dwelling-house of *Richard Sidwell*, on the 14th of *November*, at two in the Morning, and stealing one Riding-Coat, Value 15 *s.* two Table-Cloths, Value 5 *s.* one Coat and Waistcoat, Value 40 *s.* two silver Spoons, Value 14 *s.* a Petticoat and divers other Goods, the Property of the said *Richard Sidwell*.

Richard Sidwell. My House was broke open the 14th of *November*, and my Goods taken away. Here's the Chissel they left behind, which they made use of to break in. Some Time after the Robbery I was pitching some Goods, and the Prisoners were coming by, one of them had my Coat on, I challenged my Coat; he had it on his Back; so I secured them, and carried them before Justice *Nichols*, where he confessed the stealing it.

Court. Was the Confession read to them?

Sidwell. Yes, but they did not sign it.

Court. Was this Confession voluntary, without Threats or Promises?

Sidwell. Yes, and on *Washford*'s Head, I took this Mob, its my Wife's.

Court. Where is your Wife?

Sidwell. My Wife lies in.

Martha Barret. I live near the Prisoner *Wash-*

Waſhford, ſhe deſired me to pawn it for her. I'm ſure that's the Petticoat.

Priſoner's Defence

Dixon. I made no Confeſſion; nor was any Confeſſion read to me.

Waſhford. Dixon brought the Things to me, gave them me, and told me they were his. Waſhford *acquitted, and* Dixon *guilty. Death.*

Richard Cole, otherwiſe *Black Waiſtcoat Dick*, and *John Foſſet*, were indicted for ſtealing out of the Dwelling-houſe of *John Pool*, one Silver Pint Mug, Value 50 *s.* the Goods and Property of the ſaid *John Pool*, on the 4th of *November.*

John Pool. On the 4th of *November* the Priſoners came to my Houſe and called for a Tankard of Beer; I brought it them, and while I was gone for another, they ſtole the Mug: A Fortnight after I found my Mug at a Pawnbroker's; ſo I got *Cole*, and he confeſſed the Robbery.

Court. What have you to ſay againſt *Foſſet?*

Pool. By *Foſſet's* Information I found my Mug.

Pawnbroker. The Priſoner, *Cole*, has a Siſter, and ſhe brought the Mug to me to pawn: I ſtopp'd it; but ſhe bringing the Priſoner to her Character, I lent her 30 *s.* upon it. *Cole* ſeeing me afterwards, asked how much ſhe had on't; I told him 30 *s.* ſays he, ſhe cheated me then, for ſhe brought but 25 *s.* five Shillings I gave her, and 20 *s.* I kept myſelf. About a Fortnight after, I had a Search Warrant brought to my Houſe, and took the Mug. I took him to be honeſt till then.

——— *Cole* ſaid, when he was taken, that he went on purpoſe to rob the Proſecutor.

Defence. I did not think my Trial would come on ſo ſoon; and my Friends are not come down.——Foſſet *acquitted.* Cole *guilty, Death.*

William Morris and *Baldwin Lindon*, were indicted for breaking and entering the Dwelling-houſe of *Thomas Kettle*, on the 14th of *October*, and ſtealing ſix Pewter Diſhes, Value 14 *s.* 18 Plates, Value 12 *s.* one Sheet, Value 6 *s.* one *Holland* Apron, Value 2 *s.* 6 *d.* two Pewter Salvers, Value 2 *s.* one Cotton Sheet Value 4 *s.* one *Holland* Shift, Value 4 *s.* 6 *d.* four *Holland* Shirts, Value 10 *s.* and divers other Goods, the Property of ſeveral Perſons.

Thomas Kettle. On the 14th of *October* the Window was nailed, and about Eight of the Clock at Night it was broke open, and the Goods taken away.

Joannah Kettle. I loſt 12 Shirts and Shifts, and two Aprons. This is the Chiſſel (*ſhewing it*) the Watchman found under the Window.——*Lindon* being taken up, confeſſed the Robbery before Sir *John Lade.*

A Woman. I lodge at this Gentleman's Houſe——I take Pewter in to ſcower——the Pewter belong'd to one *Dorothy Lintle*——I muſt pay for them——I never had them again.

Baldwin Lindon. On the 14th of *October*, the Priſoner and I went to the Back of St. *Thomas's*, he ſaw ſomething white; then with this Chiſſel he wrenched up the Window, and took the 18 Pewter Plates, and ſix Diſhes, 12 Shirts and Shifts, two Aprons, two Pewter Salvers, and ſeveral other things; the Pewter we ſold to one *William Wall* for 17 *s.*

Court. Where is *Wall?*

Lindon. He's gone off.

Porter of Guy's *Hoſpital.* I had Sir *John Lade's* Warrant brought me, and was told the Priſoner was a great Rogue, and I muſt ſee and catch him; I went ſeveral Times after him; he lived at the Back of the *Grey-hound-Inn* in the Borough: I finding I could not catch him, I went to Mr. *Lawrence*, a *Mint* Conſtable, and deſired him, as he liv'd nearer the Priſoner than I, to look after him, and ſome Time after he took him.

Defence. I know nothing of the Goods I

am

am charged with. I have 14 Servants, and deal for 14 or 1500 l. a Year. I am indicted by the Name of *William*, and my Name is *John*.

Court. Prove your Name to be *John*, and then this Indictment will drop, and you shall be indicted by the Name of *John*.

Pris. Any Body knows my Name is *John*. I went by it in the *New Gaol*; Mr. *Jones* knows it.

Jones. I don't know it; you are committed by the Name of *William*, by Sir *John Lade*.

Pris. I was not committed at all; he sent me.

Court. Where is the Commitment?

Jones. Here is the Commitment; he did not object to his Name being *William*.

Court. Is he the Person?

London. Yes; he has ruined me ever since I first knew him; he has fetch'd me from my Work to go a thieving, and has said I have lost a great deal by my being out of the way sometimes.

Court. I shall leave your Name to the Jury.

Pris. My Name is *John*, and any one knows it; I always went by it in the Gaol.

Court. I fancy, it is so long ago since you was christen'd, you have forgot your Name.

Guilty, Death.

Thomas Miles, *Nicholas Dove*, (and *Walter O'Brian*, of the Parish of *Rygate*, not yet taken) were indicted for stealing out of the Barn of *Robert Barrow*, on the 11th of *January*, 12 Bushel of Clover Seed in Sacks, Value 28 l. and 12 Bushel of Wheat, Value 48 s.

Robert Barrow. I know the Clover Seed was gone, and we found it in *O'Brian*'s Well—I had it again.

Court. Did you see him with it?

Barrow. I did not see him with it.

Nicholas Dove. The Prisoner *O'Brian* and I went to the Prosecutor's Barn; we pull'd up a Rack and so got in; we took the Clover Seed, and put it in *O'Brian*'s Well; I was suspected, and carried before Justice *Payton*, and when we came back, they had found the Clover Seed in *O'Brian*'s Well; they taxed me with it, but I denied it.

Court. Tell me how the Robbery was committed.

Dove. This Man, and *Doll O'Brian*, took *O'Brian*'s Horses, and persuaded me to go and rob this Farmer at the Foot of *Kingstone* Hill; we took 12 Bushels of Wheat, carried it to *O'Brian*'s House, and shoot it amongst his Wheat.——It was sold at *Rygate* Market, and I had my Third, which was 16 *s.*

John Bedus. I thrashed for the Prosecutor *Wednesday*, *Thursday*, *Friday*, and *Saturday*—*Saturday* Night I locked the Barn-Door, and went home, on *Monday* Morning I found the Barn open, and the Wheat gone.

The Prisoner's Defence.

Walter O'Brian persuaded us to go and rob the Prosecutor. *Guilty* 30 *s.*

Anne Barnet was indicted for the Murder of *Mary Onner*, by beating her, the said *Mary Onner*, on the Head and Body, of which she languished four Days, and then died.

It appeared to the Jury, that the beating was not the Occasion of her Death. It seems the Deceased was under the Care of Anne Barnet, *as Parish-Nurse, and was in a lingering State of Health, for sometime, and had lost the use of her Limbs; Anne Barnet, her Nurse, takes it in her Head that the Deceased was sulky, and she'd make her speak; if she wanted beating, she'd beat her. One* Jane Benson, *says, she heard the Deceased say, don't kill me: But then the Apothecary, or Surgeon, that attended her in her Illness, coming to dress a Blister she had, seeing her Face black, asked her whether she had not been beat, she answered, yes; but yet she said, that beating was not the Cause of her Death. The Jury acquitted her. The Prosecution was carried on by the Parish, and*

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and the Court fined the Coroner 10 *l. for not appearing.*

Sarah Walker, of St. *Saviour's Southwark*, Spinster, was indicted for ſtealing eleven Yards of Cambrick, Value 5 *l.* the Goods and Property of *Eleanor Moſely*. *Acquited.*

Mary Fine was indicted for ſtealing a Glaſs Veſſel, Value 1 *s.* 6 *d.* two Gowns, a Hood, and ſhort Cloak, the Goods of —— 27th of *Feb.* 1737.

Mary Stephens. I loſt two Gowns, a ſhort Cloak and Hood; this Glaſs Veſſel was found at her Lodging; it is my Miſtreſs's; ſhe has had it four or five Months before it was ſtole: It was brought from aboad a Ship; I can't ſay from whence.

Court. Have you any Body to your Character?

Priſ. Were I near *London*, I could have forty to my Character.

Court, What do you ſay to the taking this Veſſel? How came you by it?

Priſ. My Child brought it me on the 27th of *Feb.* and gave it me.

Court. Did you know where he had it?

Priſ. I did not know he ſtole it, for I have ſet it to publick View in my Room.

Martha Davis. I have known her ten Years, and ſhe is honeſt.

Toogood. I have known her ſixteen Years, ſhe's a very honeſt Woman.

Thomas Sullyman. Her unhappy Son I met with that Glaſs Veſſel in his Hand the 27th of *February*, and he ſaid he was going to make a Preſent of it to his Mother.

Court. Where is her Son?

—— He's gone a Voyage.

Priſoner. Muſt not I have the Glaſs Veſſel?

Court. No, you have no Right to it. *Acquitted.*

Alice Siffion, of *Lambeth*, Widow, was indicted for ſacralegiouſly taking out of the Pariſh Church of *Lambeth*, 1 Braſs Nozzle and a Diſh, Value 5 *s.* the Property of the then Churchwardens on the 4th of *November*, about 5 o' Clock the Evening of the ſame Day.

The Perſons who bought the Nozzle and Diſh ſaid they had them of a thin Woman; but they could not take upon them to ſay the Priſoner is the Woman. *Acquitted.*

Alex. Forbes, of *Farnham*, was indicted for ſtealing out of the Houſe of *Silveſter Smith*, one Pair of Pumps, Value 3 *s.* on the 11th of *December* laſt. Guilty 10 *d. Whipp'd.*

—— *Wheſton*, of the Pariſh of *Aſton*, was indicted for ſtealing 1 Ewe Sheep, Value 5 *s.* the Property of *John Parker*, on the 23d of *Auguſt* laſt.

He was a ſecond Time indicted for ſtealing 1 Ewe Sheep, Value 3 *s.* the Property of —— *Mumford*, on the 4th of *Auguſt*. *Acquitted of both Indictments.*

Elizabeth Randal, otherwiſe *Thomas*, otherwiſe *Curtis*, was indicted for ſtealing out of ready furniſhed Lodgings, 1 Feather-Bed, Value 30 *s.* and other Goods to the Value of 18*s.* the Goods and Property of Mr. *Bridewell.*

Anne Bridewell. This Woman, *Mary Rollins*, looks after the Houſe where the Priſoner lodged; the Houſe and Furniture is my Husband's, but we truſt her to let it out in Lodgings, and to take Care of the Things. She confeſſed the ſtealing the Goods before Sir *John Lade*. The Sheet we found pawned for 2 *s.* at a Pawn-broker's in the *Minories*, next Door to the *Angel* and *Sugar-Loaf*; ſhe confeſſed the pawning of the Bed to one *Jeffry's* for 7 *s.* but he would not let us have it.

Defence.

Priſ. I was out at Work, my Husband took the Goods, and ſent me a Letter where they were.

Rollins. She has no Husband; ſhe took the Room in her own Name; ſhe never mentioned a Husband.

Linſard, I went to Sir. *John Lade* to give Recognizance for her Proſecution, her Husband being very ill. I'd ſatisfy your Honour —— *Guilty*, 10 *d. Whipped.*

Joseph Jennison, and *Robert Payton*, of St. *George's Southwark*. (*Payton* on Bail) were indicted for receiving the Sum of 5 *l.* of Mr. *Manners*, for returning 2 Garnet Rings, Value 4 *l.* 4 Gold Rings, set with Diamonds, Value 25 *l.* and 1 Gold Ring, set with Rubies, Value 30 *s.* and not producing the Thief, or giving Evidence against him, contrary to the Statute in that Case made and provided.

Manners. Seven *Sept.* I lost my Rings——I advertise them; here's the Advertisement——6 *Dec.* me pay 5 *l.* to Mint-Constable——I insist where they had the Rings——I paid Reward; there was a Man in a Cape Coat.

Court. Where is the Advertisement? read it.

Advertisement read.

Court. It does not agree with the Indictment, they are differently described; so you offer a Reward, to tempt a Man to bring you your Goods, and then you would be so kind as to hang him for it—Did you pay the Reward before the Thief was taken?

Manners. Yes. I should not come, but I was bound to prosecute.

Court. A wise Man. *Not Guilty.*

Joseph Wells of *St. Saviour's Southwark* was indicted with *Joseph Read*, not yet taken, was indicted for stealing one Firking value 6 *d.*, and 40 Pound weight of Soap, value 14 *s.* the Goods of *Will Hill.*

Hill. I had my Soap again.

Jones. I was going cross the Borough, and saw the Prisoner before me with the Cask on his Back, whether they thought I pursued 'em, and so let it fall——but he let it fall so near me, that I had like to have fell over it. On Enquiry, the Soap was owned by Mr. *Hill.*

Court. How could they take it out of your Shop?

Hill. The Door goes with a Pulley, and has a Latch, so that they must lift up the Latch, and pull open the Door.

Court. Are you sure the Latch of the Door was down; because it may not always latch? And, if it was not latched, it is only Felony.

Hill. I am not sure it was latched.

Prisoner. My Friends are very poor, and it is so far, they could not come.

Court. As your Friends are poor, you should have been honest. *Guilty.* Transp.

William Cook, of *Wandsworth*, was indicted for stealing a Bell, value 15 *s.* from a Post fixed to the Freehold of the House of *John Midford.*

Midford. The Bell is my Property.

Reynolds. I saw the Prisoner on the Gate, I spoke to him, and he got down.

Court. Did you see him take the Bell?

Reynolds. I cannot say he took the Bell.

He came into an Ale-house, and asked the Landlord, if he would buy a Bell? The Landlord said, it had a good Sound; but he was going leave his House.

Pris. I bought the Bell, and 3 Rabbit Skins, at an Ale-house, for 6 Whittings.

Acquitted.

John Hollywaite, of St. *Saviour's Southwark*, was indicted for stealing out of the House of *Philip Stanley*, two Silver Spoons, Value 20 *s.* a Ladle, Value 6 *d.* a Pair of Shoes, Value 6 *d.* the Goods of the said *Philip Stanley*, on the 17th of *February*, 1737. Transportation.

John Salmon, of St. *Olave's*, *Southwark*, was indicted for stealing a Sack, Val

Value 1*s*. 4 Bushels of Wheat, Value 14*s*. the Property of *Doyle Stephens*; together with *William Somners*, and *Anne* his Wife, for receiving the same, knowing them to be stolen, on the 3d of *March* last. *Somner* and his Wife Acquitted. *Salmon* found Guilty. Transportation.

Joseph Cope, of the Parish of *Camberwell*, was indicted for stealing two Copes of a Plough, Value 2*s*. a Chain, Value 1*s*. the Property of ——————, *Oct*. 15. Guilty, 10*d*.

James Cosgrove was discharged.

The Trials being ended, the Court proceeded to give Judgment, as follows:

Receiv'd Sentence of Death 15.

Samuel Caton,
John Bray,
Richard Cole,
William Morris,
John Dixon,
Mary Wasford,
Gill Smith,
Anne Goodson,
Walter O-Conolly,
Oliver White,
Henry Kelly,
Daniel Moylon,
John Ryley,
Timothy Cosgrove,
George Green, alias *Greenwood*.

Burnt in the Hand
Benjamin Tudman.

Whipp'd.
Elizabeth Randal,
Alexander Forbes.

To be Transported 14.
John Hollowaite,
Isabella Simms,
John Salmon,
Joseph Wells,
Joseph Cope,
Thomas Miller,
John Heaford,
Mary Elster,
John Arronson,
Edward Buckley,

GOD Save KING GEORGE.

To the Publick.

Will be Published by the Printer of this Paper, *who only is furnished with Materials for that Purpose.*

A Full and Genuine Account of the Life and Transactions of *Gill Smith*, late of *Dartford*, Apothecary; who is to be executed on *Kennington-Common*, and afterwards hanged in Chains on *Wallworth-Common*, for the inhuman Murder of his Wife in *St. George's-Fields*, in order to defraud the *London-Insurance-Office* of the Sum of 200 l. together with the several other Villainies he hath been guilty of.

GOD Save KING GEORGE.